

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

MARQUIS WILLIAMS,)	
)	
Plaintiff,)	
)	No. 3:15-cv-0148
v.)	
)	Judge Sharp
DEPUTY DAVID ASHBORN)	Magistrate Judge Brown
)	
Defendant.)	

ORDER

Plaintiff Marquis Williams, who was previously confined at Rutherford County Jail, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. Plaintiff alleged that he was subjected to excessive force in violation of the Fourth Amendment when he was arrested by Defendant Deputy David Ashborn. More specifically, Plaintiff alleged that he was attacked by a police dog under the command of Deputy Ashborn without being given a warning or opportunity to surrender.

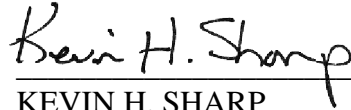
Magistrate Judge Brown has issued a Report and Recommendation (“R & R”) (Docket No. 34) in which he recommends that Defendant’s Motion for Sanctions (Docket No. 33) be granted and this case dismissed without prejudice. Despite being advised that any objection needed to be filed within fourteen days, Plaintiff has filed none. Indeed, the record shows that Plaintiff has not participated in the litigation since May 2015 and has failed to provide the Court with an updated address since his August 2015 release from jail. Having considered the matter de novo as required by Rule 72 of the Federal Rules of Civil Procedure, the Court agrees with the recommended disposition.

Accordingly, the Court hereby rules as follows:

- 1) The Report and Recommendation (Docket No. 34) is ACCEPTED and APPROVED;
- 2) Defendant's Motion for Sanctions (Docket No. 33) is GRANTED;
- 3) All other pending motions (Docket No. 37) are TERMINATED AS MOOT;
- 4) This case is DISMISSED WITHOUT PREJUDICE; and
- 5) The Court certifies that any appeal would not be taken in good faith. See 28 U.S.C. § 1915(a)(3).

The Clerk of the Court shall enter judgment in accordance with Rule 58 of the Federal Rules of Civil Procedure.

It is SO ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE